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LETTER DATED 26 JUNE 1991 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Please find attached a letter dated 26 June 1991 which has just been addressed to me by Ambassador Rolf Ekéus, Executive Chairman of the Special Commission established pursuant to section C of Security Council resolution 687 (1991). You will no doubt wish to draw the attention of members of the Security Council to this letter.

I attach also a letter dated 26 June 1991 on this same subject addressed to me by Mr. Hans Blix, Director-General of the International Atomic Energy Agency (IAEA).

(Signed) Javier PEREZ de CUELLAR

Annex I

[Original: English]

Letter dated 26 June 1991 from the Executive Chairman of the Special Commission addressed to the Secretary-General

I regret to inform you that, on 23 and 25 June 1991, Iraqi military authorities have denied an International Atomic Energy Agency/Special Commission Nuclear Inspection Team, appointed pursuant to Part C of Security Council resolution 687 (1991), access to facilities at a designated site. The facilities concerned are within the Abu Gharaib Army Barracks, a site in Baghdad designated by the Special Commission under paragraph 9 (b) (ii) of Security Council resolution 687 (1991) and notified by it to the Government of Iraq for urgent on-site inspection in accordance with the terms of the resolution.

The inspection team in question arrived in Baghdad on Saturday, 22 June 1991, and that evening the Deputy Executive Chairman of the Special Commission, Mr. Robert Gallucci, and the representative of the Director-General of IAEA and Chief Inspector, Mr. Maurizio Zifferero, met with the Foreign Minister of Iraq to discuss Iraq's previous declaration regarding nuclear facilities and arrangements for the forthcoming inspection. After a detailed discussion, it was agreed that at 7 a.m., on Sunday, 23 June 1991, a representative of Iraq would be informed of the designation of a site and that the inspection of that site could proceed before 12 noon on the same date, despite the fact that the inspection would be taking place on a religious holiday in Iraq.

The inspection team, accompanied by an Iraqi Liaison Officer, arrived at the site about 12 noon. However, upon arrival, the local military authorities denied all access to the site, on the grounds that they had no written authorization or orders to that effect. After a discussion of about an hour, some access to the site was permitted. It was, however, denied to the locations and facilities which the team indicated it wished to inspect. The right to take photographs was in some instances prohibited and in others limited. The team was, nevertheless, able to observe that, in areas to which access was denied, considerable activity was under way, involving cranes, trucks, forklifts, other equipment and work crews.

After leaving the site on 23 June, the team leader and the representative of the Special Commission addressed a formal protest to the Minister for Foreign Affairs regarding the denial of the inspection team's rights under Security Council resolution 687 (1991) and the exchange of notes between the Secretary-General and the Foreign Minister of Iraq regarding the status, privileges and immunities of the inspection teams in Iraq. A copy of that protest is attached.

On the evening of 24 June, Mr. Gallucci and Mr. Zifferero were invited to the Ministry for Foreign Affairs to discuss their protest. At the conclusion of the discussion, assurances were given that the problems had been resolved and that the following day unimpeded access would be given to the site.

On Tuesday, 25 June 1991, the inspection team returned to the site, but was again denied access by the military authorities on the spot to the particular facilities it wished to inspect. In the face of this denial, the Chief Inspector, Mr. Zifferero, decided to suspend further inspection activities for consultations with IAEA on how to proceed. He was authorized to perform a third inspection at the particular site.

Shortly thereafter, Mr. Zifferero was informed by the Foreign Ministry that full access would be given on the morning of Wednesday, 26 June 1991. On 26 June 1991, access to the site and to the requested facilities was finally granted to the inspection team. However, on this occasion activities which had been observed from a distance during the first visit had ceased and objects that had been seen had been removed.

The Director-General of IAEA and I have expressed our grave concern to the representatives of Iraq in New York and Vienna. You may wish to inform the President of the Security Council of the foregoing developments.

(Signed) Rolf EKEUS
Executive Chairman
Special Commission

Annex II

[Original: English]

Letter of 23 June 1991 addressed to the Minister for Foreign Affairs of Iraq by Mr. Robert Gallucci, Deputy Executive Chairman of the Special Commission and Mr. Maurizio Zifferero, Chief Inspector and Action Team Leader on behalf of the Director-General of IAEA

When we called upon you on the evening of 22 June 1991 to deliver messages from the Director-General of the International Atomic Energy Agency, Hans Blix, and Ambassador Rolf Ekéus, and to inform you of the nature of our concerns with regard to the completeness of the declarations by Iraq of its nuclear materials and facilities, you assured us of your Government's commitment to complying with the provisions of United Nations Security Council resolution 687 and that Iraq had never refused to show for inspection any site. At the conclusion of our meeting, you again assured us that, although the timing of this special commission posed considerable inconvenience, you would ensure that no problems arose with the inspection scheduled to begin on 23 June. We expressed our appreciation for the tangible contribution that you were making and the spirit of cooperation that it represented.

We regret to have to inform you that events today did not proceed either as you had indicated or in a way that meets the requirements of United Nations Security Council resolution 687. At 0700 today we presented to your representative, Dr. Suror Mahmoud, a Notification of Inspection for the establishments located at Abu Gharaib Army Barracks. This notification was acknowledged, and it was indicated that inspections could begin at 1100. While we do not wish to repeat the full details here, as they soon will be reported by the Agency to the Security Council through the Secretary-General, we were denied access for the purpose of inspection to the two areas we approached, restrained from exercising the right to take without hindrance photographs and, in one particularly disturbing case, intentionally denied prompt removal to medical care of a team member who required medical assistance. We regret to say that the only conclusions that can be drawn from today is that the information that led to this special inspection is given considerable extra credence and that Iraq in this case is not in compliance with the obligations it accepted under Security Council resolution 687.

Annex III

[Original: English]

Letter dated 26 June 1991 from the Director-General of the International Atomic Energy Agency (IAEA) addressed to the Secretary-General

I know that the Chairman of the Special Commission is reporting to you on the inspection that the Agency is performing in Iraq with the assistance and cooperation of the Special Commission, and there have been consultations with us about the contents of his report.

I confirm that after the second denial and restrictions of access to the Abu Gharaib Army Barracks, which occurred on Tuesday, 25 June 1991, the Chief Inspector, Mr. Zifferero, suspended further inspection activities for consultations with us. Shortly thereafter, Mr. Zifferero was informed by the Foreign Ministry that complete and unimpeded access would be given to the Agency Inspection Team on the morning of Wednesday, 26 June 1991. He was therefore authorized by me to perform a third inspection with the Team at the particular site.

Today, Wednesday, 26 June, the new visit took place in the morning at the Abu Gharaib Army Barracks. There were now no restrictions of access but also no longer any trace of the activities and objects which the Inspection Team had observed from a distance during the first visit of the site on Sunday, 23 June 1991.

Mr. M. Zifferero has now been instructed to return to Vienna as soon as possible, leaving the rest of the Team in Iraq to continue inspections. Mr. Zifferero, in his capacity as Chief Inspector, is preparing a report of his own on the inspection of the Abu Gharaib Army Barracks and the denial and restrictions of access that his Team encountered at that site. This report will be forwarded to you promptly. Meanwhile I trust you will make the information contained in the report of the Chairman of the Special Commission and in this letter available as appropriate to the members of the Security Council.

(Signed) Hans BLIX